

# **Appendix C**

## **Eligibility Tables**



## Applicant Eligibility Chart

| Status                    | Name  | Details/Examples  |
|---------------------------|---|---|
| Eligible Applicants       | <ul style="list-style-type: none"> <li>State Agencies</li> </ul>                                  | <ul style="list-style-type: none"> <li>State Emergency Management Agency, State Department of Transportation</li> </ul>   |
|                           | <ul style="list-style-type: none"> <li>Local Governments</li> </ul>                               | <ul style="list-style-type: none"> <li>City, County, Town, or Special Purpose Districts</li> </ul>  |
|                           | <ul style="list-style-type: none"> <li>Native American Tribes, federally recognized</li> </ul>    |   |
|                           | <ul style="list-style-type: none"> <li>Certain Private Non-Profit Organizations (PNPs)</li> </ul> | <ul style="list-style-type: none"> <li>Medical</li> <li>Emergency (fire and rescue)</li> <li>Utility</li> <li>Educational</li> <li>Custodial Care</li> <li>Facilities that provide essential services of a governmental nature to the general public</li> <li>Museums</li> <li>Zoos</li> <li>Community centers</li> <li>Libraries</li> <li>Homeless shelters</li> <li>Senior citizen centers</li> <li>Rehabilitation facilities</li> <li>Shelter workshops</li> <li>Facilities that provide essential health and safety services of a governmental nature, such as:               <ul style="list-style-type: none"> <li>Low income housing</li> <li>Alcohol and drug rehabilitation</li> <li>Programs for battered persons</li> <li>Transportation to medical facilities</li> <li>Food programs</li> </ul> </li> </ul> |
| Ineligible PNP Applicants | <ul style="list-style-type: none"> <li>Recreational facilities</li> </ul>                         |   |
|                           | <ul style="list-style-type: none"> <li>Job counseling/training facilities</li> </ul>              |   |
|                           | <ul style="list-style-type: none"> <li>Certain advocacy groups</li> </ul>                         | <ul style="list-style-type: none"> <li>Groups not directly providing health services</li> </ul>   |
|                           | <ul style="list-style-type: none"> <li>Performing arts facilities</li> </ul>                      |   |

## What Work is Eligible?

| Status                        | Eligibility Requirements  |
|-------------------------------|---|
| Debris Removal                | <ul style="list-style-type: none"><li>• Work must be a direct result of the declared event</li><li>• Work must have been performed within designated area</li><li>• Work must be the legal responsibility of the applicant</li><li>• Work must eliminate immediate threat to public lives, health and safety</li><li>• Work must eliminate immediate threat of significant damage to improved public or private property</li><li>• Work must ensure economic recovery of the affected community to the benefit of the community at large</li><li>• Work must not call under the responsibility of any Other Federal Agency (OFA)</li><li>• Salvage value or insurance proceeds must be deducted</li></ul> |
| Emergency Protective Measures | <ul style="list-style-type: none"><li>• Measures must be a direct result of the declared event</li><li>• Measures must have been performed within designated area</li><li>• Measure must be the legal responsibility of the applicant</li><li>• Measure must eliminate immediate threat to public lives, health and safety</li><li>• Measure must eliminate immediate threat of significant damage to improved public or private property, through measures that are cost effective</li><li>• Salvage value or insurance proceeds must be deducted</li></ul>  |
| Permanent Restoration         | <ul style="list-style-type: none"><li>• Restoration must be a direct result of the declared event</li><li>• Restoration must have been performed within the designated area</li><li>• Restoration must be the legal responsibility of the applicant</li><li>• Restored facility must be in active use</li><li>• Restoration must not fall under the responsibility of any Other Federal Agencies (OFA)</li><li>• Salvage value or insurance proceeds must be deducted</li></ul>   |

## What Cost Is Eligible?

| Cost Type <sup>1</sup> | Nature of Cost  | Details   |
|------------------------|---|---|
| Labor <sup>2</sup>     | <ul style="list-style-type: none"> <li>Permanent labor</li> </ul> | <ul style="list-style-type: none"> <li>Regular time and overtime labor costs are eligible for permanent restoration work</li> <li>Only overtime labor costs are eligible for emergency work</li> <li>An organization's pre-disaster policy on overtime will determine whether or not the organization is reimbursed for overtime work performed by salaried employees</li> <li>For emergency work, only overtime costs are eligible; regular time labor costs are not eligible for reimbursement</li> <li>Fringe benefits associated with the disaster-related labor costs are eligible</li> </ul>  |
|                        | <ul style="list-style-type: none"> <li>Temporary labor</li> </ul> | <ul style="list-style-type: none"> <li>Regular and overtime labor costs for temporary staff hired specifically to perform disaster-related work is eligible for reimbursement</li> <li>Fringe benefits for temporary labor may vary from permanent labor and will be dependant upon an organization's pre-disaster labor policy</li> </ul>  |
|                        | <ul style="list-style-type: none"> <li>Part-time labor</li> </ul> | <ul style="list-style-type: none"> <li>Excess regular and overtime labor costs for part-time employees (only for hours worked over their normal work schedule), are eligible for reimbursement</li> <li>Fringe benefits associated with disaster-related costs are eligible</li> <li>Benefits for part-time labor may vary from permanent labor and will be dependent upon an organization's pre-disaster labor policy</li> </ul>   |
|                        | <ul style="list-style-type: none"> <li>Volunteer labor</li> </ul> | <ul style="list-style-type: none"> <li>Organizations that use volunteer labor to perform eligible work receive credit for that labor to help them meet the non-Federal portion of the cost share</li> <li>Volunteer labor will be valued at the prevailing rate for the work being performed</li> </ul>   |
|                        | <ul style="list-style-type: none"> <li>Contract labor</li> </ul>  | <ul style="list-style-type: none"> <li>Contract labor to perform disaster-related work is eligible for reimbursement</li> <li>Generally, the contract must be competitively bid; an applicant must follow the same policies and procedures it uses for procurement that are non-Federal in nature</li> <li>Exception (with writing justification) include instances where emergency work must be completed immediately to reduce the threat to life, public health or safety or where there exists only a single contract source to complete the work.</li> <li>Additionally, for a contract with both emergency and non-emergency work, only the part that related to the emergency work may be the exception</li> </ul> |
| Equipment <sup>3</sup> | <ul style="list-style-type: none"> <li>Renter/leased</li> </ul>   | <ul style="list-style-type: none"> <li>The cost of the rented/leased equipment is eligible,</li> </ul>  |

|                                     |   |  |
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|                                     |   | <p>along with normal equipment operation expenses, such as fuel and supplies</p> <ul style="list-style-type: none"> <li>• Maintenance costs are the responsibility of the lessor, unless otherwise stated in the lease agreement</li> <li>• The organization should follow its established business practices when renting equipment</li> </ul>  |
|                                     | <ul style="list-style-type: none"> <li>• Applicant-owned</li> </ul> | <ul style="list-style-type: none"> <li>• Organization using their own equipment in the response and recovery effort will be reimbursed based on either the FEMA equipment rates or the organization's (pre-disaster) internally developed equipment usage rate <b>whichever is lower</b>. Only the time the equipment is <b>actually</b> in use is eligible. Therefore, the equipment usage must correspond to labor hours claimed for performing eligible work</li> </ul> |
|                                     | <ul style="list-style-type: none"> <li>• Purchased</li> </ul>       | <ul style="list-style-type: none"> <li>• Equipment purchased to perform disaster-related work will be reimbursed using FEMA equipment rates based on usage. Depending on the cost of the equipment, the eligible usage costs may have salvage value deducted.</li> </ul>   |
| Materials and Supplies <sup>4</sup> | <ul style="list-style-type: none"> <li>• Inventory</li> </ul>       | <ul style="list-style-type: none"> <li>• Organizations using an existing inventory of materials and supplies to assist in the response and recovery effort will be reimbursed for the actual cost of the inventory.</li> </ul>   |
|                                     | <ul style="list-style-type: none"> <li>• Purchased</li> </ul>       | <ul style="list-style-type: none"> <li>• Purchased materials and supplies will be reimbursed for the purchase prices if the organization complies with its pre-disaster procurement regulations and practices</li> </ul>   |

<sup>1</sup> Disaster work will not be funded if payment is contingent of receiving funding from FEMA.

<sup>2</sup> Supporting documentation should include a summary report of hours worked by employee for both regular and overtime and the respective fringe benefit costs or rate. Also, this summary should be supported by individual time and attendance records that differentiate the number of hours worked on disaster-related work and a detailed description of the work performed.

<sup>3</sup> Supporting documentation should include a summary noting whether the equipment is owned or rented and the daily usage.

<sup>4</sup> Supporting documentation should include an inventory listing or invoices and receipts for purchased items.

## How Much Is Eligible?

| Item  | Eligibility for Reimbursement   |
|---|---|
| Emergency Public Transportation   | <ul style="list-style-type: none"> <li>Emergency public transportation costs are eligible, provided that public transportation is not the responsibility of another Federal agency (e.g., Federal highway Administration) and is in accordance with Section 419 of the Stafford Act. Due to the large outlay this could represent, all emergency transportation projects must be pre-approved by the FEMA Public Assistance Officer.</li> <li>When FEMA does reimburse for emergency public transportation, the cost of the capital construction projects to meet emergency needs will be reimbursed only for the emergency period to be defined by FEMA on a project-by-project basis.</li> <li>The amount reimbursed will be determined based on a depreciation recovery rate.</li> </ul> |
| Employee hourly rate  | <ul style="list-style-type: none"> <li>FEMA will reimburse a reasonable hourly rate based on the type of work performed. For instance, if a subgrantee's employee is a janitor and the employee performed disaster-related clean-up work, then that employee's full hourly rate as a janitor will be reimbursable. However, if a doctor performs the same disaster-related clean-up work, the their hourly rate will be adjusted downward to reflect the typical cost to perform the clean-up function(e.e., that paid to the janitor).</li> </ul>  |
| Building Habitability Safety Inspections  | <ul style="list-style-type: none"> <li>The cost of an initial safety inspection performed to determine the habitability of a structure may be eligible for reimbursement. This will be a disaster-specific determination.</li> </ul>  |
| Building Inspection and Permit Processing Costs Directly Related to Waived Building Permit Fees | <ul style="list-style-type: none"> <li>When local government authority waived building permit fees, they may incur a loss of revenue. FEMA does not reimburse for loss of revenue. The existing fee schedule should provide the necessary revenue to support the building permit process.</li> </ul>  |
| Mutual Aid Agreements   | <ul style="list-style-type: none"> <li>Mutual aid agreements usually contain reimbursement provisions for labor, fringe benefits, lodging, meals, travel expenses, equipment and materials. FEMA will generally reimburse reasonable costs associated with mutual aid policies that were established before the disaster.</li> <li>If a subgrantee enters unto a mutual aid agreement after the disaster occurs, it may affect the amount of funding eligible from FEMA.</li> </ul>   |
| Post-Disaster Overtime Costs  | <p>FEMA will reimburse eligible costs that are in accordance with the 44 CFR and OMB Circulars and the subgrantee's pre-disaster policies. If the subgrantee's pre-disaster policy does not pay employees for overtime, FEMA will not reimburse the cost of overtime. If a pre-disaster local or state provision exists to pay overtime, FEMA will reimburse the cost of overtime.</p>  |

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|---|---|
| Contract Labor for Emergency Work (as opposed to using permanent employees) | <ul style="list-style-type: none"> <li>Contract labor for emergency work is eligible. However, if the work performed is essentially identical to the organization's normal work functions, then permanent employee labor should be used and any temporary labor needs can be claimed with full reimbursement for regular and overtime costs.</li> </ul>   |
| Project Management <sup>1</sup>   | <ul style="list-style-type: none"> <li>Actual costs associated with the management of a FEMA project are reimbursable.</li> </ul>   |
| Indirect Costs <sup>2</sup>   | <ul style="list-style-type: none"> <li>No indirect costs are eligible for reimbursement.</li> </ul>   |
| <b>Disaster Related Costs</b>   |   |
| Temporary Relocation  | <ul style="list-style-type: none"> <li>Only those applicants who provide essential community services are eligible for relocation costs.</li> <li>Essential community services are those that are necessary to save lives and/or to protect and preserve property or public health and safety. They include: <ul style="list-style-type: none"> <li>Medical facilities including hospitals, outpatient facility, rehabilitation facility or facility for long-term care as defined by Section 645 of the Public Health Service Act.</li> <li>Custodial care facility providing institutional care for persons requiring close supervision and some physical constraints on their daily activities.</li> <li>Emergency facilities including fire departments, police departments, search and rescue teams and ambulances</li> <li>Utility facilities for generation, transmission, distribution and maintenance of electric power, telephone, sewer and water and gas.</li> <li>Homeless shelters</li> <li>Facilities that provide essential health and safety services of a governmental nature, such as: <ul style="list-style-type: none"> <li>Low-income housing</li> <li>Alcohol and drug rehabilitation</li> <li>Refuge for battered persons</li> <li>Food programs</li> </ul> </li> </ul> </li> <li>It is important to note that there are some facilities that provide essential services of a governmental nature and are open to the general public but are not an essential community service. These include: <ul style="list-style-type: none"> <li>Museums</li> <li>Zoos</li> <li>Community centers</li> <li>Libraries (other than school libraries)</li> <li>Senior citizen centers</li> <li>Rehabilitation facilities</li> <li>Shelter workshops</li> </ul> </li> </ul> |



|   |  |
|---|--|
| Temporary Relocation (cont.)                          | <ul style="list-style-type: none"> <li>FEMA pays for temporary relocation of an essential community service until the applicant's facility is habitable again. Due to the essential service provided by the applicant, it is expected that the repair or reconstruction of the permanent facility will be expedited. Should this not be the case, FEMA will re-examine the temporary relocation period.</li> </ul> |
| Examples of activities not eligible for reimbursement | <ul style="list-style-type: none"> <li>Property tax re-assessments</li> <li>Disaster applicant centers (DRCs)</li> <li>Housing Programs</li> <li>Consumer task forces</li> </ul>   |

<sup>1</sup> The team project management may be used to indicate construction project management or management of a FEMA-reimbursed project. Construction management costs are those direct costs incurred to manage a construction project. Generally, to evidence direct costs, a project manager must keep a log of the tasks and time spent performing those tasks. Some specific project management tasks include review of bids, work site inspections, checking and approving material samples, review of shop drawings and change orders, review of contractor's request for payment and acting as an owner's representative.

<sup>2</sup> Indirect costs are expenses that are not fully and directly attributed to a project. Indirect costs can include labor items such as human resources, finance, systems support and development, legal payroll, administration and management, and supervisory personnel. Other indirect costs that are often pooled and allocated on a percentage basis include, but are not limited to, phone, copier, rent, facsimile, debt service, facility management, and utility expenses among others.

